

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ELI LILLY AND COMPANY, et al.	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:13-cv-01770-RLM-TAB
	)	
ARCH INSURANCE COMPANY, et al.	)	
	)	
Defendants.	)	

**ORDER ON JANUARY 19, 2018, TELEPHONIC STATUS CONFERENCE**

Parties appeared by counsel on January 19, 2018, for a telephonic status conference. Discussion was held regarding the numerous motions to seal that have been filed in this action. Pursuant to discussions during the telephonic status conference, the Court grants the following motions that documents be maintained under seal: [Filing Nos. 849](#), [853](#), [859](#), [863](#), [868](#), [874](#), [878](#), [903](#), [906](#), [915](#), [919](#), [922](#), [925](#), and [928](#).

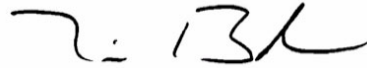
A review of the docket reveals that information has been filed under seal that likely should not have been. The parties appear to confirm that justifications for maintaining some of the material under seal are lacking. However, given the sheer volume of sealed filings at this stage in this complex, highly active litigation, comprehensive review is not feasible at this time.

Going forward, however, a different course is appropriate. The parties are expected to follow the procedure for sealed filings as outlined in [Local Rule 5-11](#). Parties should pay particular attention to assure that they are not seeking to seal information for which there is no legal basis, irrespective of prior orders granting requests to seal. See [Baxter Int'l, Inc. v. Abbott Labs.](#), 297 F.3d 544, 548 (7th Cir. 2002) (a motion that “does not analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations . . . [has] no prospect

for success”); *Union Oil Co. of Cal. v. Leavell*, 220 F.3d 562, 568 (7th Cir. 2000) (the parties desiring secrecy must show “good cause” to maintain a document under seal).

As for the numerous sealed filings already in this case, the Court reserves the right, at the conclusion of this litigation (or sooner), to revisit the propriety of all sealed filings and unseal all docket entries absent sufficient justification. See *Elder Care Providers of Ind., Inc. v. Home Instead, Inc.*, No. 1:14-cv-01894-SEB-MJD, 2015 WL 4425679, at \*2 (S.D. Ind. Jul. 16, 2015) (absent a showing of good cause outweighing the public’s right to access the information, “discovery that [is] filed and form[s] the basis of judicial action must eventually be released”). In the interim, the Court will address any motion filed by any interested member of the public that seeks to unseal any sealed filing. Governing Seventh Circuit law requires nothing less.

Date: 1/26/2018



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Tim A. Baker  
United States Magistrate Judge  
Southern District of Indiana

Distribution: All ECF-registered counsel of record by email.